

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSE NUNEZ,	:	CIVIL ACTION NO. 1:10-CV-2355
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
WARDEN WILLAM A SCISM,	:	
	:	
Respondent	:	

ORDER

AND NOW, this 12th day of January, 2011, upon consideration of petitioner's motion for reconsideration (Doc. 5), and it appearing that this matter was dismissed without prejudice on December 28, 2010, for failure to comply with an administrative order directing that petitioner either pay the statutory filing fee of \$5.00 or file a properly completed application to proceed in forma pauperis, it is hereby ORDERED that:

1. Petitioner's motion for reconsideration (Doc. 5) is DENIED.
2. The Clerk of Court is directed to refund to petitioner the \$5.00 filing fee.
3. Petitioner may commence a new action by filing his petition with either payment of the requisite filing fee, or submission of the appropriate forms allowing him to proceed in forma pauperis.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge